HIGH COURT OF UTTARANCHAL AT- NAINITAL.

Writ Petition No. 1010 (S/S) 2001
(Old no. 22867 of 2000)

Israr Hussain S/o Sri Abrar Hussain,
R/o Jaspur, Udham Singh Nagar. ....Petitioner.

Vs.

1. State of U.P. through Collector, U.S.Nagar,
2. The District Panchayat Raj Officer, U.S. Nagar,
3. The Block Development Officer,
   Sitarganj, District Udham Singh Nagar.

....Respondents.

Sri K.N. Joshi, learned counsel for the petitioner,
Learned standing counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri K.N. Joshi, learned counsel for the petitioner and learned Standing Counsel for the respondents/State.

By means of this petition, the petitioner has prayed to issue a writ, order or direction in the nature of certiorari for quashing of the suspension order dated 03.04.2000 passed by the District Panchayat Raj Adhikari, Udham Singh Nagar. By the aforesaid order, the petitioner who was working as Gram Panchayat Vikas Adhikari, Vikas Khand-Sitarganj, Udham Singh Nagar, was suspended on certain charges and the Block Development Officer, Khatima was appointed as Inquiry Officer. In the suspension order, various charges have been leveled against the petitioner.

The Allahabad High Court on 12.05.2000 stayed operation of the suspension order.

Learned Standing Counsel has submitted that though serious charges have been leveled against the petitioner but the order dated 03.04.2000 have been stayed by the Allahabad High Court, therefore inquiry could not be conducted against the petitioner.

Since the impugned order was stayed by the Allahabad High Court on 12.05.2000, it would be just and proper to direct the Inquiry Officer to conduct inquiry on the charges leveled against the petitioner and to conclude the inquiry within a particular period.

Consequently, I direct the Inquiry Officer/The Block Development Officer, Khatima to conclude the inquiry against the petitioner within a period of four months from today, thereafter, the Competent Authority shall pass final order within a period of three weeks from the date of receipt of inquiry report from the Inquiry Officer. The petitioner is also directed to co-operate with the inquiry proceedings. In the meantime the suspension order dated 03.04.2000 shall be kept in abeyance till the Disciplinary Authority passes the final order

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

November 7, 2005:
NCM: